

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL HARPER,

Plaintiff,

v.

G. MARQUEZ, et al.,

Defendants.

No. 2:24-cv-1194 DJC SCR P

ORDER

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 29, 2024, the Magistrate Judge filed findings and recommendations herein which were served on plaintiff and which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within thirty days. On June 10, Plaintiff filed a document entitled "Motion for a Fee Waiver." (ECF No. 8.) This Court construes that document as an objection to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be

supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations (ECF No. 7) are adopted in full;
2. Plaintiff's application to proceed in forma pauperis (ECF No. 2) is denied;  
and
3. Within fourteen days of the date of this order, plaintiff shall pay the \$405 filing fee. If plaintiff fails to do so, the Court will dismiss this action.
4. This matter is referred back to the assigned Magistrate Judge for all further pretrial proceedings.

IT IS SO ORDERED.

Dated: **August 14, 2024**

  
Hon. Daniel J. Calabretta  
UNITED STATES DISTRICT JUDGE

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